DELAWARE STATE BOARD OF EDUCATION

Meeting Minutes

December 19, 2019
5:00pm

2nd Floor Cabinet Room
The Townsend Building
401 Federal St., Dover, DE 19901

Members Present: Nina Lou Bunting; Candice Fifer; Vincent Lofink; Dr. Audrey Noble; Dorcas Olatunji; Rev. Provey Powell, Jr.; Wali Rushdan II, and Whitney Sweeney.

Members Absent:

Others Present: Jennifer Singh, Deputy Attorney General, representing the State Board of Education (SBE); Dr. Susan Bunting, SBE Executive Secretary and the Secretary of Education, Delaware Department of Education (DDOE); Emily Cunningham, Chief of Staff, DDOE; Jenna Ahner, SBE Executive Director; Kathleen Smith, SBE Administrative Assistant; Tyler Bryan, DDOE; Lee Dean, DDOE; Linda Sullivan, DDOE; Chuck Longfellow, DDOE; Leroy Travers, DDOE; Maria Paxson, DDOE; Tammy Croce, DASA; Kathy Kelly, DDOE; Monica Gant, DDOE; Luke Rhine, DDOE; Michael Buoni, Parent; Charlotte Buoni, Parent; Julia Buoni,Student; Henry and Eileen Parsons, Grandparents; Denise Parks, Odyssey Charter; Riccardo Stoeckicht, Odyssey Charter; Josiah Wolcott, Odyssey Charter; Charles McDowell, East Side Charter and Charter School of New Castle; Brad Saborio, Parent; Olivia Saborio, Student; Rep. Kim Williams, Delaware House of Representatives; Mike Matthews, Citizen; Gary and Carolyn Arnell, Family; Greg Panchisin, Las Americas Aspira Academy (LAAA); John Marchei, NWEA; Deb Stevens, DSEA; Jennah Truitt, Presidential Awards for Excellence in Mathematics and Science Teaching Award Finalist (PAEMST); Douglas Garcia, College Board; Joan Engel, Capital School District; Danielle Rash, PAEMST; Bob Fulton, Cape Henlopen Sschool District, Margie Lopez Waite, LAAA; Kathleen Olenderski, PAEMST; Andrew Olenderski, Appoquinimink School District.

Opening

A. Call to Order:

Ms. Sweeney called the meeting to order at 5:04p.m.

B. Roll Call of State Board Members

Ms. Smith conducted roll call for the meeting with seven members present (Bunting, Fifer, Lofink, Noble, Olatunji, Rushdan, and Sweeney).

C. Approval of Agenda

Ms. Sweeney noted that the agenda was posted on December 12 and amended on December 17.

A motion was made by Ms. Bunting and seconded by Mr. Rushdan to approve the December 19, 2019 amended agenda as presented. ***The motion carried*** (6 Yes to 0 No - Bunting, Fifer, Lofink, Noble, Rushdan, and Sweeney).

D. Approval of November 21, 2019 Regular Monthly Meeting Minutes

Mr. Rushdan requested that the minutes be updated to reflect that Tammy Croce's public comments on the regulations were in opposition to and that Judith Loeber's public comments on regulations were in favor of Regulations 1549, 1558, 1560, and 1563.

A motion was made by Mr. Lofink and seconded by Ms. Bunting to approve the November 21, 2019 minutes as amended. ***The motion carried*** (5 Yes to 0 No with 1 Absention: Yes - Bunting, Fifer, Lofink, Noble, and Rushdan. Abstention - Sweeney).

I. State Board Business

Rev. Provey Powell arrived and was marked present.

A. Recognition of Delaware Students: 2019 School Bus Safety Poster Contest Winners

Tyler Bryan, Education Associate, School Transportation, DDOE, introduced the school bus safety poster contest theme of "Red Lights Mean STOP!" and presented trophies and gifts to this year's winners.

The Board recognized Gavin Kaiming Chee, Nicole Meiyen Chee and Julia Buoni by presenting them with bookmarks and State Board of Education Order of Excellence certificates for their outstanding support toward the vision and mission of the State Board of Education and for their contributions to their community and Delaware education.

B. Recognition of Presidential Awards for Excellence in Mathematics and Science Teaching Award Finalists

Awarded by the White House each year, the Presidential Award for Excellence in Mathematics is the highest recognition a K-12 Mathematics teacher can receive for outstanding teaching in the United States.

The Board recognized Kathleen Olenderski, Jennah Truitt, and Danielle Rash by presenting them with State Board of Education Order of Excellence for their outstanding contributions toward the growth and betterment of the students served through Delaware public education.

C. Committee Reports

1. Committee and Meeting Reports

Board members provided updates on recent Board business and committee participation. Ms. Sweeney toured Shue-Medill Middle School, reported on P-20 Council progress and attended meetings of the charter school financial framework committee. Ms. Olatunji attended an interview with the Delaware Center for Justice and emceed the blue ribbon ceremony for Charter School of Wilmington. Rev. Powell attended charter school public hearings, the Redding Consortium redistricting subcommittee meeting, and the Vision Coalition quarterly meeting. Dr. Noble attended the final CSAC meeting. Mr. Rushdan attended the final CSAC meeting and the Reach Riverside presentation. Ms. Bunting attended the Teacher Advisory Committee workshop on Social Emotional Learning. Mr. Lofink engaged in a CTE community partners meeting at Newark High School, visited Polytech High School, and participated in the CTE subcommittee meeting.

2. CTE Committee Update

Mr. Lofink noted that further detail later will be provided by Mr. Rhine later on the agenda.

D. Executive Director's Report

Ms. Ahner provided an update on recent activities in her office, including work in support of Board priorities through various subcommittees.

II. Secretary's Report

Dr. Susan Bunting provided her report, details of which have been posted online. To date, Dr. Bunting has presented 25 out of 37 banners for the DDOE Exceeds Expectations. Board members asked questions about the Comprehensive Support and Improvement schools.

IV. Regulations

A. Department of Education Regulations for Discussion or Action

1. Regulation 615 - School Attendance (For Action)

Ms. Emily Cunningham, Chief of Staff, DDOE, provided information on this regulation. Board members asked questions about charter school policies, the definition of truancy, the definition of a full day of school attendance, and the similarities or differences across institutions. The Board asked questions about how locally defined definitions impact the attendance metrics that are a part of the Every Student Succeeds Act (ESSA) and the Delaware School Success Framework (DSSF). The Board has requested more information about the definition of a full day of school for its consideration.

A motion was made by Mr. Lofink and seconded by Rev. Powell to table Regulation 615 until further information is provided. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

B. Professional Standards Board Regulations for Discussion or Action

1. Regulation 1521 – Elementary Teacher (For Information)

Regulation 1521 has been posted in the Register of Regulations for public comment, and next steps will be determined by the Professional Standards Board. Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before January 6, 2020.

C. Public Comment on Regulations

No public comments were received.

V. Presentations

A. WIDA English Language Development Standards (For Action after public comment)

Ms. Maria Paxson, Education Associate for English Learners, DDOE, was present to answer Board members' questions. Members asked about supports if students do not meet standards and about when students begin taking the ELA portion of the state assessment.

B. Public comment on WIDA English Language Development Standards

Ms. Sweeney opened the floor to public comment. No public comments were received.

A motion was made by Ms. Bunting and seconded by Dr. Noble to approve the WIDA English Language Development Standards. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

C. Perkins V Draft Plan (For Discussion and Approval to Move to Public Comment)

Mr. Luke Rhine, Director of Career and Technical Education, DDOE, provided information on the draft of the Perkins V State Plan including the plan development timeline; stakeholder engagement; notable programmatic, fiscal, and accountability shifts in the draft plan; and recommended next steps. The draft plan will be posted for public comment for 60 days before it comes back to the CTE Subcommittee and the Board for consideration. Board members asked questions about funding for postsecondary institutions, expansion of state funds for students in grades 5 and 6, intended uses for the Reserve fund, partnerships with community-based organizations, how performance data is collected and disseminated at the state and local level, how state performance measures compare, and how students' career awareness and readiness at the middle school level are measured.

Ms. Sweeney and the Board recognized the work of Mr. Rhine, Ms. Ahner, Mr. Lofink, and the CTE committee for their dedication to this work.

Board members discussed next steps for public comment and public engagement.

A motion was made by Mr. Lofink and seconded by Rev. Powell to move the draft Perkins V plan forward to public comment. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

VI. Charter Schools

Mr. Leroy Travers, Education Associate, Charter School Office, DDOE, and Dr. Chuck Longfellow, Associate Secretary, Operations Support, DDOE and Chair of the Charter School Accountability Committee, (CSAC) provided background information on each of the five Charter Schools that were up for renewal. Five renewal applications were received and considered by the CSAC. The Committee had presented their recommendations to Dr. Bunting, who issued her decisions.

A. Charter School Renewal – Charter School of New Castle (For Action)

Mr. Travers shared that the CSAC recommended renewal of the charter for a 5-year term beginning July 1, 2020. Dr. Bunting approved Charter School of New Castle for a 5-year renewal. Board members expressed concern about the English Language Arts proficiency scores and encouraged the Secretary and the Department of Education to monitor these rates moving forward.

Mr. Rushdan recused himself from the conversation as a prior member of the school's Board of Directors.

A motion was made by Rev. Powell and seconded by Mr. Lofink to assent to the Secretary's approval of the 5-year renewal of Charter School of New Castle. The motion carried (6 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney. Mr. Rushdan recused himself).

B. Charter School Renewal – East Side Charter School (For Action)

Mr. Travers shared that the CSAC recommended renewal of the charter for a 5-year term beginning July 1, 2020. Dr. Bunting approved East Side Charter School for a 5-year renewal.

A motion was made by Ms. Bunting and seconded by Rev. Powell to assent to the Secretary's approval of the 5-year renewal of East Side Charter School. The motion carried (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

C. Charter School Renewal – Gateway Lab School (For Action)

Mr. Travers shared that the CSAC recommended renewal of the charter for a 5-year term beginning July 1, 2020. Dr. Bunting approved Gateway Lab School for a 5-year renewal.

Board members noted the anticipated enrollment growth and encouraged the Secretary to monitor both the enrollment growth and the hiring of educators who are prepared to serve the needs of their population.

Mr. Rushdan recused himself from the conversation.

A motion was made by Rev. Powell and seconded by Mr. Lofink to assent to the Secretary's approval of the 5-year renewal of Gateway Lab School. The motion carried (6 Yes to 0 No to 1 Abstention: Yes – Bunting, Fifer, Lofink, Noble, Powell, and Sweeney. Abstention - Rushdan).

D. Charter School Renewal – Las Americas ASPIRA Academy (For Action)

Mr. Travers shared that the CSAC recommended renewal of the charter for a 5-year term beginning July 1, 2020. Dr. Bunting approved Las Americas ASPIRA Academy for a 5-year renewal.

Board members noted that they are looking forward to seeing the high school open next year.

A motion was made by Ms. Bunting and seconded by Rev. Powell to assent to the Secretary's approval of the 5-year renewal of Las Americas ASPIRA Academy. The motion carried (6 Yes to 0 No with 1 Abstention: Yes – Bunting, Fifer, Lofink, Powell, Rushdan, and Sweeney. Abstention - Noble).

E. Charter School Renewal – Odyssey Charter School (For Action)

Mr. Travers shared that the CSAC recommended renewal of the charter for a 5-year term beginning July 1, 2020 with the reaffirmation of the conditions imposed in the July 22, 2019 probation letter and with the modification of condition 1E that states:

- Allow for a two-year alternating term for Board President with a one-year extension allowed by a super-majority vote of the Board, as recommended by the Delaware Association for Non-profit Advancement.

Dr. Bunting approved Odyssey Charter School for a 5-year renewal with the conditions identified above. Odyssey Charter School shall remain on probation until June 30, 2020 with the current January 1, 2020; March 1, 2020; and June 30, 2020 deadlines in full effect.

Board members expressed concerns about the lack of transparency in the governance including concerns with the process for appointing new Board members, Members also discussed the results of the audit and concerns that there was nearly $250,000 that did not have supporting documentation. Board members asked about the State Board's recourse in enforcing the conditions set upon the school. Board members expressed the desire for updates from the school in progress toward meeting conditions and discussed options for when the Charter School Accountability Committee may be called back into session. Board members also asked about the options and timeline for making a decision.

A motion was made by Mr. Lofink and seconded by Ms. Bunting to assent to the Secretary's approval of the 5-year renewal of Odyssey Charter School with the conditions stated. The motion carried (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

F. Charter School Update (For Information)

Mr. Travers provided an update of other work in the Charter School Office including an update on the timeline for new applications and major modifications and a report of charter teacher licensure data as previously requested by the Board. Dr. Longfellow provided an update on the updates to the Financial Framework. Board members asked questions regarding updates to the other frameworks and recommended that the charter school office consider items related to bylaws and governance procedures.

VII. Formal Public Comment

Public comment was given by Josiah Wolcott, Board President, Odyssey Charter School. Mr. Wolcott discussed the Board's dedication to meeting the conditions set forth by the Secretary and the State Board.

VIII. Adjournment

A motion to adjourn was made by Ms. Bunting and seconded by Mr. Lofink. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Powell, Rushdan, and Sweeney).

The meeting adjourned at 7:44p.m.

Digital recordings of the meeting can be found in the "audio recordings" section of the State Board of Education's website.

Respectfully Submitted,

Susan S. Bunting, Ed.D.
Executive Secretary and Secretary of Education